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DETROIT BOARD OF POLICE COMMISSIONERS

REGULAR BOARD MEETING

PAGE 1 TO 40

Taken at 1300 Beaubien Street, Room 328
Detroit, Michigan,
Commencing at 3:10 p.m.,
Thursday, February 24, 2010,
Before Wendy A. Boer, CSR 3505.

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APPEARANCES :

JEROME WARFIELD, CHAIRMAN

ADELA RIVERA, VICE CHAIRPERSON

MICHAEL REEVES, COMMISSIONER

DONNELL WHITE, COMMISSIONER

GEORGE ANTHONY, EXECUTIVE SECRETARY

CHESTER LOGAN, ASSISTANT CHIEF OF POLICE

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Detroit, Michigan
Thursday, February 24, 2010
About 3:10 p.m.

CHAIRMAN WARFIELD: Good afternoon, ladies and gentlemen. Welcome to the Board of Police Commissioners meeting. My name is Jerome Warfield, chairman of the Board of Police Commissioners. Serving with me today is the vice chairman, Commissioner Adela Rivera, as well as Commissioner Donnell White. And sitting in for the chief of police for us today we have Assistant Chief Chester Logan. Sir, good to have you here.

ASSISTANT CHIEF LOGAN: Good to be here.

CHAIRMAN WARFIELD: At this time, I'm going to ask the board secretary please, Mr. George Anthony, to introduce the rest of our staff.

COMMISSIONER RIVERA: Thank you, Mr. Chair. For the record, Secretary George Anthony. Our staff includes Miss Tina Orr who is our chief investigator seated in the front; Miss Celia Banks Washington, our attorney and supervising investigator also seated in the front, Lieutenant Lolitha Porter who is representing the personnel department, Miss Yolanda Caudle who is on staff, Police Officer Kent Cooper also on staff, Mr. Robert Brown our office manager, Police Officer

1 Terrence Bell who is recording our proceeding and
2 Miss Wendy Boer who is our court reporter today from
3 Hanson Court Reporting Service. That completes the
4 reading, sir.

5 CHAIRMAN WARFIELD: Thank you, sir.
6 Appreciate that. At this time, we want to ask if
7 Chaplain Ray Hill is here. Sir, could you come to the
8 podium? Thank you. From Mt. Zion Church. We're going
9 to ask if you could deliver for us today's invocation.
10 Thank you.

11 CHAPLAIN HILL: Thank you. Let's bow our head
12 for a brief word of praise. Almighty God, creator of
13 all mankind, we first pause to say thank you. Thank you
14 for the many blessings that you have already bestowed
15 upon us. And we thank you that this is a day that you
16 have made. We ask and we pray for prosperity for this
17 city. We pray for our leaders. We pray for these
18 commissioners. And oh, God, we thank you for the ideals
19 and concepts that you would give us to move this city
20 forward according to your name and your word. And the
21 people of God agreed and simply said amen.

22 AUDIENCE: Amen.

23 CHAIRMAN WARFIELD: Thank you, Chaplain Hill.
24 We appreciate your service. At this time we will accept
25 a motion to approve the agenda for today's meeting.

1 COMMISSIONER RIVERA: Motion to approve the
2 agenda.

3 COMMISSIONER WHITE: Support.

4 CHAIRMAN WARFIELD: Properly moved and
5 supported. All those in favor?

6 COMMISSIONERS: Aye.

7 CHAIRMAN WARFIELD: All those opposed? Motion
8 carries. We will have the approvals of last weeks
9 meeting on the next agenda because they were not ready
10 today. So, if that's okay with everyone, we will do
11 that. There is no chair report. We have a lot of
12 information we want to get to, certainly want to remind
13 you that we will have an open forum today during the
14 meeting to discuss secondary employment. But there are
15 some information that's going to come to us from also
16 the chief from the police as relates to forfeiture
17 funds.

18 And, Commissioners, I want you to notice in
19 your packet, there is a request for an executive
20 appointment of Lieutenant Charles Wilson. I'm going to
21 ask if we can bring that item back for next week after
22 we have reviewed the request and place it on the agenda
23 for next week to be acted upon if that's okay.

24 At this time, we want to ask if Assistant
25 Chief Chester Logan will bring on the presentation and

1 anything else he has at this time.

2 ASSISTANT CHIEF LOGAN: Thank you, sir. I'd
3 like to bring forward Deputy Chief Ben Lee who has a
4 presentation that I think you will find very
5 interesting. Deputy Chief Lee?

6 DEPUTY CHIEF LEE: Yes. Deputy Chief Benjamin
7 F. Lee from the management services bureau. Good
8 evening, I should say afternoon. The forfeiture
9 accounts fall into two categories. We have what we call
10 the federal fund and the state -- what we call the local
11 fund. The federal fund is a little bit more liberal
12 than the state fund. And the guide for the federal fund
13 is a book called, The Guide to Equitable Sharing for
14 State and Local Law Enforcement Agencies. That is the
15 Bible of how to spend and how not to spend the federal
16 forfeiture funds.

17 The state fund which we call the local fund is
18 a little bit more liberal, I mean a bit more stringent
19 in what we have to do. It has to have a narcotics nexus
20 in order to spend that money from that particular
21 account. This is actually the cover for the book that
22 the feds printed out. It was updated in April of 2009.
23 Next. And within the book, they give you all of the
24 uses for the equitable share.

25 That could be property that we seize or money

1 if the property is sold. Depending on the amount of
2 time that we spend on that particular case, we get a
3 share of that particular money. So, if our input is
4 50 percent, then 50 percent of those proceeds will be
5 forfeited to the City of Detroit. And you can use those
6 funds on any activities that you see in the future that
7 will result in some investigation, law enforcement
8 training, equipment, detention facilities. That's
9 either construction or the operation of that facility,
10 law enforcement facilities and equipment, drug education
11 and awareness, pro rata funding, asset accounting and
12 tracking, law enforcement travel and transportation.

13 Impermissible uses, you can't pay salaries for
14 existing positions. You cannot use it for non law
15 enforcement personnel, payment of non law enforcement
16 expenses and any expenses not specified on what they
17 call a DAG 71. That's just a form that's filled out.
18 The feds will notify you that the assets are available.
19 And then you fill in the information as to the amount of
20 time you spend on that particular case. And you forward
21 it back to the federal government. And then they in
22 turn forward the money and deposit it into our account.
23 You cannot use it for political or personal reasons or
24 anything that would be deemed extravagant.

25 Federal uses, we have used it for travel and

1 training. We funded the Explorers programs, Explorers
2 program 1 and 2, purchase surveillance cameras at
3 narcotics, copy machines, computers, printers. We also
4 used it in the gun buy-back program. We were allowed to
5 use \$20,000 of that fund. We also bought money
6 counters, new flashlights for every member of the
7 department, tactical lights, a cashiering system for the
8 Central District where we have centralized all of our
9 cashiering responsibilities that we have there; and it's
10 now on computer. That was one of our audit findings
11 that we had. So we corrected that by buying a computer
12 system that kept track of all of the monies that were
13 deposited by account. Cell block painting and the PR
14 24's. We use the PR 24's. And we bought those.

15 The way the federal government operates in
16 their audits, they actually conducted an audit. And
17 when they came in, they wanted to know that we had
18 bought the PR 24's. And they gave -- we gave them a
19 list of all of the PR 24's that we had. They conducted
20 a random sample of all of the PR 24's that we had. And
21 the officers were required to bring in that PR 24 and
22 show the auditors when they came in. That's how strict
23 they are in terms of how we spend this money.

24 State use, the only uses that you can use it
25 for are personnel, equipment, federal grant match,

1 informant fees which is our secret service account, buy
2 money. And I have to look up. State uses, we have used
3 it to pay the lease payments for narcotics and for the
4 forfeiture section where we store the cars, the secret
5 service funds, buy money, leased vehicles and the
6 maintenance of those vehicles. The state law was
7 changed some time ago to allow Crime Stoppers to use a
8 portion of the narcotics state forfeiture fund. So, we
9 did give Crime Stoppers I believe it was \$25,000. We
10 use it for salaries, Wayne County prosecuting attorney
11 and computer software.

12 All of these expenditures are subject to audit
13 and internal and external review. All of the requests
14 from expenditures from the forfeiture fund is funneled
15 through my office at management services. And the chief
16 has the final say on the expenditures or his designee.
17 And at management services, I am the designee. So the
18 small items that come through, I will go ahead and
19 approve those. And Tina in budget will not approve an
20 item unless I have signed off on the use of forfeiture
21 funds and I have inquired as to whether or not it's a
22 permissible expense.

23 We are subject to audit from the federal
24 government as well as the auditor general and also
25 internal affairs. As I mentioned earlier, with the

1 federal audit, that's how strict they are in terms of
2 actually wanting to see the property that you have. And
3 they were strict about it. And those officers that did
4 not come in and were on furlough, they required that
5 they sign an affidavit that they have that particular
6 PR 24. And we had to present that to the federal
7 auditors and the Department of Justice. I am in
8 constant contact with the Department of Justice
9 regarding any expense that I may not see or don't
10 understand within the federal guidelines for permissible
11 use. So, I have a contact person that I will call and
12 say this is what we want to do. Is this a permissible
13 expense? They will say okay, and we will exchange an
14 e-mail. And I'll make that part of the file.

15 The source of the funds that we have are
16 usually with the state funds, it's going to be either
17 through individuals that are stopped and arrested and
18 articles are seized, either cash or property, or through
19 a raid. With the federal government, it's generally
20 going to be a partnership that we have with the federal
21 government, matter of fact it has to be a partnership
22 with the federal government. And then we complete the
23 DAG 71, and the money is forfeited.

24 And the process is usually there's an address,
25 and there's a seizure. The DAG 71, which is available

1 on line. There's an administrative court proceeding.
2 They have 20 days to contest the seizure. And if they
3 don't contest it, it's an automatic seizure/forfeiture
4 after 21 days or the administrative court proceeding and
5 then it's forfeited and the item or property or money is
6 our's.

7 Right now, as of February, the balance that's
8 available in the federal account is \$508,000, and the
9 local account, it's approximately 2.9 million. These
10 have not been adjusted by any seizures that we have that
11 have not been officially forfeited. So, this at some
12 point in time will probably be more. I'm sure it will
13 because I know there's some seizures that we have and
14 that have been -- we have but have not been adjudicated
15 yet. Next slide. Any questions?

16 CHAIRMAN WARFIELD: Commissioner Rivera has
17 questions.

18 COMMISSIONER RIVERA: I remember when I first
19 came or became a commissioner, we had an audit, am I
20 correct in that? And it specified the spending. Can we
21 get that kind of audit again? I don't -- I'm sure Celia
22 will be able to tell you the report I'm talking about.

23 DEPUTY CHIEF LEE: Was it the auditor
24 general's report?

25 COMMISSIONER RIVERA: Was it the auditor

1 general?

2 MS. BANKS WASHINGTON: It was.

3 DEPUTY CHIEF LEE: That's available on line.

4 MS. BANKS WASHINGTON: It went up for 2008 I
5 believe.

6 DEPUTY CHIEF LEE: I know they just finished
7 an audit of our impressed cash that's going to be coming
8 through real soon.

9 COMMISSIONER RIVERA: As I recall, there was
10 five or six million in the federal and around seven or
11 eight million in the local. Now, am I correct in saying
12 that you have to spend that money within two years?

13 DEPUTY CHIEF LEE: Yes, ma'am. That was one
14 of the audit findings that we had. So, we went on an
15 aggressive spending program because the federal
16 government's policy and procedure is if you don't spend
17 that money, then they have the right to come and take
18 it. So, we went on an aggressive spending to adjudicate
19 that money and spend it within that two-year time frame.

20 COMMISSIONER RIVERA: Is the federal balance
21 always higher than our local one or is it the other way
22 around?

23 DEPUTY CHIEF LEE: They have been comparable.
24 We have just done a lot of things with the federal fund
25 because it's a little bit more liberal. And that

1 balance is down.

2 COMMISSIONER RIVERA: So, we spent almost --
3 let's just throw a number out there -- four million
4 dollars on all this stuff that you told us, radios and
5 is that -- am I correct in that?

6 DEPUTY CHIEF LEE: It's -- exactly how
7 much --

8 COMMISSIONER RIVERA: The batons and all that
9 is where those millions went?

10 DEPUTY CHIEF LEE: Yes. And I got these
11 figures from Tina Toliver in budget I believe it was on
12 Monday. So, there is going to be more in that account
13 because we are constantly taking. And it's just whether
14 or not it's adjudicated or not. But the balance that's
15 available -- there may be more money in that particular
16 account. But when we have to make lease payments or
17 there are payments that are constantly made, like the
18 undercover cars. Those are very large payments that we
19 make. And so, that constantly draws on that fund. And
20 that money is not available. Even though it's there in
21 the account, it's not available to spend on anything
22 else other than that.

23 COMMISSIONER RIVERA: Okay.

24 CHAIRMAN WARFIELD: Any other questions?

25 COMMISSIONER REEVES: I just wanted to know --

1 and again I apologize. I just wanted to know how long
2 until this report be ready. And again through the
3 Chair, I do apologize for my tardiness.

4 MS. BANKS WASHINGTON: The next audit?

5 COMMISSIONER REEVES: When will the next audit
6 report be available so we can just --

7 DEPUTY CHIEF LEE: I know that we are
8 answering the questions now through the Chair. And that
9 will be available probably next week, they will put it
10 on line. They will wait for our answers, and then they
11 will publish our answers to the audit I'm thinking next
12 week. That's controlled by the auditor general.

13 COMMISSIONER REEVES: Definitely within the
14 next two weeks?

15 DEPUTY CHIEF LEE: I can't say. They release
16 that particular report. I don't have any control on
17 when they actually release it.

18 CHAIRMAN WARFIELD: Yes, sir?

19 COMMISSIONER WHITE: Thank you. DC Lee, is
20 there a cap on funds that can be spent before it
21 requires the chief's signature?

22 DEPUTY CHIEF LEE: Through the Chair, there's
23 no cap. But if it's going to be a large expenditure, if
24 an expenditure comes through and it's \$40,000 and it's
25 for cameras and it's for narcotics, then I will sign off

1 on that. The expenditure where we purchased
2 flashlights, it was \$200,000 something odd thousand
3 dollars. I did get approval from the chief prior to
4 doing that because we were switching to a different
5 flashlight. And the other expenses that come out of
6 those accounts, Party Stopper, Operation Party Stopper,
7 it's a narcotics initiative. Those get prior approval
8 before they actually do that operation. And they get
9 the prior approval from the chief and the assistant
10 chief.

11 COMMISSIONER WHITE: But there is no dollar
12 amount that warrants the chief's signature per se?

13 DEPUTY CHIEF LEE: No, not that I'm aware of.

14 COMMISSIONER WHITE: The second question, is
15 there a revenue split as relates to forfeiture dollars?
16 Whatever we forfeit, we don't need to spend all of that?
17 Is there a percentage that -- I thought it was a certain
18 percentage that we were able to spend.

19 DEPUTY CHIEF LEE: Through the Chair, every
20 dollar that we have that's forfeited, we can spend it.
21 There is a cap on what you can use for community based
22 programs. And that's 15 percent of the last two years.

23 COMMISSIONER WHITE: Last question, on the
24 numbers that you showed on the previous slide, are those
25 balances year to date or does that include what might be

1 left over from the previous year? And if it is year to
2 date, do we -- what is the balance from 2010 and
3 potentially 2009 that was not spent?

4 DEPUTY CHIEF LEE: I had that through the
5 Chair, but I did not bring that with me. And off the
6 top of my head, I don't know what that balance was as of
7 that date. But this balance is as of the beginning of
8 February.

9 COMMISSIONER WHITE: So year to date?

10 DEPUTY CHIEF LEE: Yes, that's what's
11 available to spend on anything that we want to spend it
12 on within the guidelines of how we can spend it.
13 There's more in that account. But this is the only
14 amount that's available to spend on something else other
15 than what we have already accounted for, money that's
16 already spent like lease payments, car payments. Those
17 are all taken out so that we don't spend it and not have
18 money to pay the rent or the lease vehicle payments.

19 COMMISSIONER WHITE: So to Commissioner
20 Rivera's point, the concern that you saw a report that
21 it was much larger, you're saying that there is more
22 funds available but they are ear marked for something
23 else and therefore not included in this number?

24 DEPUTY CHIEF LEE: Yes.

25 COMMISSIONER WHITE: You don't have that

1 larger number, what that is today?

2 DEPUTY CHIEF LEE: That's correct. What it
3 will show, let's say if we have a lease payment that's a
4 half a million dollars, that will be backed out of that.
5 There's another lease payment for our UC cars. It's a
6 half million dollars. Theoretically, there's a million
7 five in the account, but only \$500,000 is available to
8 spend.

9 COMMISSIONER RIVERA: (Indicating). It's the
10 new flashlight. I just wanted to -- maybe the public
11 would like to see how it works. It's very bright. If
12 you click it twice, it strobos I think, right?

13 CHAIRMAN WARFIELD: All right then.

14 COMMISSIONER RIVERA: It's supposed to like
15 distract the bad guys' vision or something. I don't
16 know.

17 ASSISTANT CHIEF LOGAN: It comes with a cone
18 for directing traffic at night also.

19 COMMISSIONER RIVERA: So, nice new
20 flashlights.

21 CHAIRMAN WARFIELD: All right then. Let's --

22 COMMISSIONER RIVERA: That's \$200,000. The
23 public has a right to know what the flashlight looks
24 like and how it works.

25 CHAIRMAN WARFIELD: Absolutely, Commissioner,

1 you're right. One last thing, Deputy Chief. The
2 balance that's to date, do you know how much of that is
3 toward the end of it's life cycle as relates to what
4 could potentially go back if the federal government
5 wanted to come and get it? And secondly, have we ever
6 given over money back because we didn't spend it, I
7 mean, from your knowledge?

8 DEPUTY CHIEF LEE: No, we have not. That was
9 just one of the findings in one of the last audits that
10 they had. And at that point, we went on an aggressive
11 spending because we didn't want to have to give it back.

12 And we didn't want that be to an audit finding
13 the second time around. And they have not been back for
14 an audit since then.

15 CHAIRMAN WARFIELD: And the life cycle of the
16 balance, do you know if any of that money is close to
17 that two-year life cycle?

18 DEPUTY CHIEF LEE: I don't believe so.

19 CHAIRMAN WARFIELD: Great. Any other
20 questions?

21 ASSISTANT CHIEF LOGAN: Through the Chair,
22 Assistant Chief Logan. You know, many times you will
23 read and hear about large seizures that the Detroit
24 Police Department is involved in. So it's not unheard
25 of that you're, you know, bringing in ten million

1 dollars. But that money is divided among a number of
2 different ways. So, the bottom line is we don't get the
3 whole ten million dollars. I think a part of it goes to
4 the jurisdiction where it was confiscated, and it also
5 goes to the partners who are involved in the seizure.
6 So, in a way, it's misleading. I just wanted to make
7 that point.

8 CHAIRMAN WARFIELD: Absolutely. Thank you,
9 sir. Any other questions from the commissioners? Thank
10 you, Deputy Chief. Appreciate that, sir.

11 DEPUTY CHIEF LEE: You're welcome.

12 CHAIRMAN WARFIELD: Assistant Chief, did you
13 have anything else?

14 ASSISTANT CHIEF LOGAN: No, sir.

15 CHAIRMAN WARFIELD: All right. At this time,
16 we have a grant request. And I'm going to ask if
17 Commissioner White would read the grant request for us,
18 please.

19 COMMISSIONER WHITE: As it relates to the
20 request for permission to accept a donation of \$191,094
21 from the DTE Energy Company for the copper theft task
22 force. The DTE Energy Company has offered to donate
23 \$191,094 to the Detroit Police Department's copper theft
24 task force. The funds will be utilized to pay for the
25 costs and expenses for two police officers. There is no

1 cost to the department for this donation. And the funds
2 will be utilized exclusively for law enforcement
3 personnel.

4 I am asking the board's permission to accept
5 this donation and seek approval of the honorable city
6 council. So moved.

7 CHAIRMAN WARFIELD: Is there a second?

8 COMMISSIONER RIVERA: Motion to approve the
9 grant.

10 CHAIRMAN WARFIELD: It has been properly moved
11 and supported to approve the request for this grant.
12 Any discussion?

13 COMMISSIONER RIVERA: Question.

14 CHAIRMAN WARFIELD: Yes, ma'am.

15 COMMISSIONER RIVERA: Who is in charge of
16 this? I have a couple questions.

17 COMMANDER BETTISON: Commander Bettison.

18 COMMISSIONER RIVERA: I have a question,
19 Commander. Who is in charge of the copper theft task
20 force?

21 COMMANDER BETTISON: Currently right now, that
22 is going to be Commander Steven Dolant. It falls under
23 the major crimes bureau.

24 COMMISSIONER RIVERA: That was my question.
25 And how many -- do we have a task force right now?

1 COMMANDER BETTISON: Yes, ma'am.

2 COMMISSIONER RIVERA: How many officers are
3 currently on it?

4 COMMANDER BETTISON: Four.

5 COMMISSIONER RIVERA: This will provide two
6 more or just supplement them?

7 COMMANDER BETTISON: It's just going to help
8 pay for the cost we're paying now.

9 COMMISSIONER RIVERA: The four we have. Thank
10 you. Those are my questions.

11 COMMANDER BETTISON: Thank you, ma'am.

12 CHAIRMAN WARFIELD: Any other questions?
13 Commissioner Reeves?

14 COMMISSIONER REEVES: Through the Chair, our
15 four people, are they able to pretty much handle this
16 task? The four officers that's designated to this
17 particular task force, are those enough officers to take
18 care of this?

19 COMMANDER BETTISON: Through the Chair, yes,
20 sir. We have been successful. Started the task force
21 back in 2006 to address the epidemic that was occurring
22 at the time. And in 2006, DTE and AT&T and the City of
23 Detroit Public Lighting Department was experiencing a
24 severe problem where thieves were actually climbing up
25 on to utility poles, cutting overhead lines and also

1 stealing transformers. And they were knocking out
2 citizens' telephone services and their power to
3 businesses. So it was really adversely effecting the
4 City.

5 So we put this task force together over at
6 Northeast, myself, now Assistant Chief Logan. And we
7 started small and was able to actually go city wide with
8 it. And we were able to really reduce those thefts big
9 time. We reduced AT&T's theft rate by over 90 percent,
10 over 95 percent actually. Also, DTE's theft rate in the
11 high 90 percent, saving them over 3.1 million dollars in
12 one year alone and also the City of Detroit theft rate
13 to our public lighting department because a lot of the
14 light poles out there, they are actually City of
15 Detroit's. So, we reduced that theft rate tremendously,
16 saving the citizens of Detroit a lot of money. And our
17 POD yard over on Grinnell was getting hit. And they had
18 lost over \$400,000 in like a year and a half at that
19 facility. And we cut their theft rate almost basically
20 to zero.

21 So, it's been very very effective. And what
22 we found was that it wasn't a lot of folks committing
23 this crime. It was a few folks who were masterminding
24 the whole operation. So after we were able to identify
25 them and work with the prosecutor's office, get them

1 some real prison time, get them off the street, then
2 that's how we actually got those reductions.

3 COMMISSIONER REEVES: Great job.

4 COMMANDER BETTISON: Thank you, sir.

5 CHAIRMAN WARFIELD: Any other questions from
6 the commissioners? All right. Thank you, sir. Thank
7 you, Commander Bettison. Hearing or seeing none, all
8 those in favor of the grant request, please say aye.

9 COMMISSIONERS: Aye.

10 CHAIRMAN WARFIELD: All those opposed, you
11 have the same privilege. Motion carries. Thank you.

12 At this time, we want to move toward the issue
13 concerning secondary employment. And we want to make
14 the floor open and available for those citizens who wish
15 to comment on the secondary employment work opportunity
16 for the police officers. Let me explain it for those of
17 you who may not be fairly familiar. Last year the --
18 mid last year, the Detroit City Council enacted an
19 ordinance that allowed the police officers to work in
20 uniform for private businesses, serving as officers,
21 serving as officers that will work for them. Primarily,
22 it's a huge cost savings or one of the things it does
23 for the City is a huge cost savings, especially as it
24 relates to special events.

25 Detroit donates a heck of a lot of police time

1 to a lot of the special events. And we can move the
2 continuum where those events actually now can pay for
3 those officers at those events as well as in other areas
4 as well. Certainly there were some concerns expressed
5 when we first brought this up I believe in July, in our
6 July or August meeting. I think it was the August
7 meeting of last year. And I received a lot of
8 information and talked to the chief and others about the
9 policy itself, went through it.

10 But here we want to give the citizens an
11 opportunity to sound off as relates to secondary
12 employment. Any concerns, any comments, questions, any
13 complements, anything you want to say, the floor is
14 open. We ask that you come to the podium and that you
15 state your name for the record and that you abide by a
16 four-minute time limit so we can get as many comments in
17 as possible. Do you have some questions? Sure.

18 COMMISSIONER RIVERA: Who is our expert?

19 DEPUTY CHIEF LOGAN: There's a number of them
20 available for you. We have DC Lee.

21 COMMISSIONER RIVERA: I feel like I pick on
22 you every week.

23 ASSISTANT CHIEF LOGAN: He does too.

24 COMMISSIONER RIVERA: I have a couple of
25 questions that I just kind of -- I have read the entire

1 thing. I'm a little -- just a couple of questions.
2 When you -- okay. The officer applies for secondary
3 employment, for permission to do secondary employment.
4 Now, do they go on a roster that you have or does the
5 business request and you pick them or do they pick them?

6 DEPUTY CHIEF LEE: Through the Chair. Ma'am,
7 the process, it's going to be a web based program. And
8 everybody that applies will be on a roster, and their
9 names will be in the system. At the point where the
10 business says I need five officers for this particular
11 job, secondary employment will put those five jobs in
12 the system and then hit enter. At that point, everybody
13 who is eligible on the department will get an e-mail,
14 either phone or whatever e-mail they designate to
15 receive that message. When they receive that message,
16 the first person to press the button to say I accept
17 that job will be the first person that gets the job.

18 COMMISSIONER RIVERA: Okay. What if a company
19 has particular requests, like for instance in Southwest
20 Detroit, they might want officers that speak Spanish to
21 come. Can they make those kind of requests?

22 DEPUTY CHIEF LEE: I believe -- we have the
23 capabilities to do that. We want to make it fair and
24 equitable for everybody. But if there is a specialty --
25 and that's a specialty, we can build that into the

1 system. And only those persons who have that specialty
2 will see that particular job. And then they can bid on
3 that particular job or press the button on their phone
4 or their computer. And then they'll be eligible to work
5 that job.

6 COMMISSIONER RIVERA: Okay. And as I read
7 this, the usual restrictions apply, no alcoholic
8 beverage place, no dancing place, any place that's
9 against the rules and regs as a normal business are not
10 allowed to apply for this, right?

11 DEPUTY CHIEF LEE: Yes.

12 COMMISSIONER RIVERA: And then the business
13 pays the employee directly? It doesn't come to us?

14 DEPUTY CHIEF LEE: Through the Chair, that's
15 correct. It will be paid directly.

16 COMMISSIONER RIVERA: Here is the next
17 question. What happens when one of our scout cars gets
18 in an accident when they're at their secondary
19 employment? Does the business pay to have the vehicle
20 fixed or because they are paying us to use the vehicle,
21 are we still responsible for getting it fixed?

22 DEPUTY CHIEF LEE: Through the Chair, yes, we
23 are still responsible.

24 (Exit Commissioner White)

25 COMMISSIONER RIVERA: Okay. And of course

1 people with bad attendance aren't allowed, right? And
2 court appearances are paid by the business as well?

3 DEPUTY CHIEF LEE: Yes.

4 COMMISSIONER RIVERA: If they have to go to
5 court for some reason?

6 DEPUTY CHIEF LEE: Yes, through the Chair.

7 COMMISSIONER RIVERA: For every three
8 employees they have, they have to hire one supervisor?

9 DEPUTY CHIEF LEE: Through the Chair, yes,
10 ma'am.

11 COMMISSIONER RIVERA: Now, is this secondary
12 employment thing going to apply to like Joe Louis Arena
13 or are we still going to provide them some amount of
14 unpaid police service?

15 DEPUTY CHIEF LEE: Yes. Through the Chair,
16 anything related to traffic we will do. But what we are
17 moving toward is inside personnel will be secondary
18 employment.

19 COMMISSIONER RIVERA: Okay. I think that's
20 all unless the public has some questions that they want
21 to ask. It sounds like a plan to me.

22 CHAIRMAN WARFIELD: I have a question and/or a
23 suggestion. As relates to the interfacing of the
24 officers with the citizens, and specifically if there
25 are instances where citizens feel for whatever reason,

1 they need to file a complaint against an officer who is
2 on secondary employment. That will still go through the
3 normal process as it does now? Who will collect that
4 complaint, and how will it get to us? Will the business
5 be told to forward it to us? Will the business know to
6 tell that particular citizen they can call us? Will
7 they know the avenues to file the complaint? How would
8 that work?

9 DEPUTY CHIEF LEE: Yes, Mr. Chair. When we
10 sit down with the business and provide them the
11 information, that will be some of the information that
12 we will provide. But the same procedures that apply on
13 duty will apply off duty. So if there's something that
14 happens, they will have to call the supervisor. There
15 will be a person from secondary employment that will be
16 on call at all times that they can get a hold of. And
17 if not, then there will be a supervisor from that
18 particular district. And at the districts will be aware
19 that that person is there as well as communications.

20 CHAIRMAN WARFIELD: Okay. Could there also be
21 something in the system -- and maybe you already have
22 it, but I didn't see it -- where the officers who accept
23 the assignment, could there be some type of an
24 agreement, you know how you accept the software and you
25 have to check that I agree to the terms and the

1 conditions? I think it needs to be some type of
2 reminder that although they are working for a private
3 entity, that they are still bound by the rules and the
4 procedures of the Detroit Police Department, especially
5 as relates to their interfacing with citizens. Of
6 course, I'm talking very selfishly from our perspective.
7 But just to make sure that they understand that although
8 they are being paid by private industry, that they are
9 still bound by the policies and procedures of the
10 Detroit Police Department?

11 DEPUTY CHIEF LEE: Yes. Through the Chair,
12 that's already in the system. You have to click on that
13 prompt to say I have read the policy, I agree, and I
14 accept it. Otherwise you can't even move any further in
15 the program to do that. And what we can actually do is
16 before accepting the job, we can make that there again,
17 and you click on that and then click on the job.

18 CHAIRMAN WARFIELD: Thanks. Commissioner?

19 COMMISSIONER REEVES: I have two questions.
20 One, there's -- piggy-backing off of Commissioner
21 Rivera's question as far as if there's any kind of
22 incidents or accidents concerning the vehicles, is there
23 a separate insurance policy that will cover any kind of
24 incidents or accidents?

25 DEPUTY CHIEF LEE: Yes. Through the Chair,

1 the companies are required to have X amount of dollars
2 of insurance. And whether or not the City will go after
3 them for that particular incident if there's a car wreck
4 while they are working secondary employment, I don't
5 know. That would be something we'd have to check with
6 the law department whether or not they want to pursue it
7 too or if we want to go after the insurance company for
8 that amount of money. But right now, we are basically
9 renting them the car for that day.

10 COMMISSIONER REEVES: When you say we'll go
11 after the insurance company, whose insurance company?

12 DEPUTY CHIEF LEE: The owner of the business.
13 And I don't know if that's going to be the City's policy
14 or not through the law department. That's something we
15 can check into.

16 COMMISSIONER REEVES: Okay. Here is my second
17 question. What kind of awareness will go out to make
18 the public more knowledgeable of the secondary
19 employment plan as well as how to -- I know you said
20 you'll communicate everything with the businesses. But
21 as far as the people that patronize the businesses, how
22 will they know if there's an issue to come and talk to
23 either the board or to just -- or how to be more aware
24 of making a report?

25 DEPUTY CHIEF LEE: We can probably do that --

1 through the Chair -- through the public information
2 office as a public announcement. I know we had a town
3 hall meeting I want to say about two weeks ago. And
4 there were lots of community groups and community people
5 that showed up at that particular meeting. We haven't
6 made an official announcement yet. City council just
7 approved the contract yesterday for the secondary
8 employment, for the software program. So I'm sure going
9 forward that's going to be part of the process also.

10 COMMISSIONER REEVES: Okay.

11 CHAIRMAN WARFIELD: Commissioner Rivera?

12 COMMISSIONER RIVERA: I thought I saw
13 somewhere where the rates were posted, am I correct, how
14 much it would cost a business to hire an officer to do
15 security? Wasn't that in here somewhere?

16 DEPUTY CHIEF LEE: Through the Chair, it's the
17 highest rate I believe of each rank. And I believe when
18 they wrote the ordinance, they had the -- for sergeants
19 and lieutenants, they had the same rate of pay. And
20 then the police officers pay was the highest rate of pay
21 for a police officer.

22 COMMISSIONER RIVERA: About how much is that
23 if someone wants to hire a security guard? I thought I
24 saw it somewhere.

25 DEPUTY CHIEF LEE: Sergeant Jackson? The

1 current rate for lieutenants and sergeants --

2 COMMISSIONER RIVERA: I see it.

3 DEPUTY CHIEF LEE: \$32.68. And for a police
4 office, \$25.59.

5 COMMISSIONER RIVERA: Thank you.

6 CHAIRMAN WARFIELD: All right. Anything else?
7 Again, any questions from the audience? Hearing or
8 seeing none, thank you, sir. We'll close that section
9 of our meeting. Thank you. Appreciate it.

10 DEPUTY CHIEF LEE: This is Sergeant Robert
11 Jackson who will be in charge of secondary employment.
12 He has two police officers working for him.

13 CHAIRMAN WARFIELD: I'm sorry. Commissioner
14 Rivera?

15 COMMISSIONER RIVERA: How many officers? Is
16 this going to be a new unit?

17 DEPUTY CHIEF LEE: Yes. They are located on
18 the 7th floor here at headquarters.

19 COMMISSIONER RIVERA: Under management
20 services, and you will have two officers and yourself?
21 Yes?

22 SERGEANT JACKSON: My name is Sergeant Robert
23 Jackson. And for your information, we have a phone
24 number if you have any further questions for the public
25 also, 596-2217.

1 CHAIRMAN WARFIELD: Great. Thank you, sir.
2 Appreciate it, Sergeant. All right. Moving on in the
3 agenda, at this point I want to make an announcement
4 that our next meeting will be Thursday, March the 3rd,
5 2011, 3:00 here, police headquarters. So, we ask that
6 you please be there for that. We want to move the
7 secondary employment and take a final vote on the
8 secondary employment policy next week as well. So,
9 those two items will be on the agenda, please. Thank
10 you.

11 At this point, our agenda calls for oral
12 communications. If you wish to address the Board of
13 Police Commissioners, you may come to the podium at this
14 time. State your name for the record. And we ask that
15 you abide by a four-minute time commitment that we may
16 get as many in as possible.

17 MR. DAVIS: Good evening. My name is Elder
18 Anthony Davis, Sr. I'm from AC Towing. And I have a
19 problem with the City of Detroit. I had purchased some
20 property when it was 150 Michigan. That's when the real
21 estate that you had to buy all your property from the
22 City of Detroit. And I had -- it was a person that at
23 that time they was doing a land contract. His name was
24 Randy. I forget his last name. They switched the name
25 from one party to (inaudible) Towing or Junk Yard. 2126

1 Meritt, they had bought that property, you know,
2 purchased the property under the land contract.

3 And so, he bought it and put the first down
4 payment and the first month. They paid no taxes for
5 eight to ten years. And so, he was trying to get me to
6 buy the property from him. So I went over there, my
7 wife and I, Christine Davis. And we looked at the
8 property. We said, if we fix it up, you know, we will
9 purchase it you know. You will get -- I thought he
10 owned it. Then he said, well, I'm going to write up an
11 agreement where you can buy it on a land contract. I
12 said, well, you get the paperwork together and I'll get
13 with my lawyer, make sure you own the property and
14 everything. And then six months went by, you know. We
15 moved in. Then another month, went about seven months.
16 I said, I kept asking him, when you going to do the
17 paperwork? He said, well, I'm getting with it.

18 So it threw a red flag, the Lord spoke to my
19 heart, said -- I called my wife, said come pick me up.
20 We going downtown to see who own this property. So we
21 went downtown, and we found out the City of Detroit had
22 took it back from him. And so, we acquired the property
23 from the City of Detroit, 150 Michigan. That was their
24 real estate. And then I told them, I said it's two
25 problems about the property. They have a condemned

1 building, and it have a lot of tires and rims on it that
2 occurred from Randy.

3 So, they said, well, I tell you what we will
4 do. We will split the difference down the middle.
5 Either you tear down the building or you move the tires
6 and rims. So I said, well, I will tear down the
7 building because I didn't want nobody to commit a crime
8 or something in the condemned building. I thought it
9 was more feasible for me to do because I didn't want
10 nobody to get killed or hurt on that property. So, I
11 took out a permit. I got my paperwork signed saying
12 that I took out a permit and everything downtown. I had
13 the building tore down.

14 To this day, the City of Detroit have not kept
15 their obligations. When they moved from 150 Michigan I
16 believe or Cadillac Square, they said they don't have no
17 paperwork on it. I said I do have the permit where I
18 did have the building tore down. I did the right
19 procedures. But the City of Detroit have not followed
20 up on that. So now, my wife and I, the police
21 department came out. They said -- I mean the fire
22 department. They had passed me because they seen it,
23 that I was waiting on the City. I have Lieutenant
24 McQueen, he said you got to move the tires. I done
25 moved a large bulk of tires out of there.

1 CHAIRMAN WARFIELD: I'm sorry, is that
2 lieutenant from the fire or police department?

3 MR. DAVIS: Fire department. I have moved a
4 lot of tires out of there. And the way the economy,
5 they way they was doing with the police towing,
6 (inaudible). I moved over 535 tires out last week. And
7 I still have more tires. I'm still trying to get the
8 City to come. They say they don't have no records of
9 it. I said, you seen the condemned building. You see
10 this man did not pay no rent. They told me that the
11 expenses when they move all those tires and rims, they
12 was going to give it to Heavy T to bill to them. But
13 they have not.

14 CHAIRMAN WARFIELD: How can we help you?

15 MR. DAVIS: Get the City to move them.

16 CHAIRMAN WARFIELD: Oh. There's some city
17 council reps here. And if you can see Mr. Moore and
18 Mr. -- I'm sorry. If you can see them right after the
19 meeting, they will be able to help you as well. And Pat
20 Ford is right there. So you got lot of folks here that
21 can help you out with that.

22 MR. DAVIS: I did what they told me to do,
23 either/or. And I did mine. And I'm still waiting on
24 them because I don't want to lose my business because I
25 have another yard, you know, building, that I purchased.

1 CHAIRMAN WARFIELD: Certainly Councilman
2 Brown's office, Councilman Kenyatta's office and
3 Councilman Spivy's office is very well represented
4 today. And so if you can get with them, they'll
5 definitely help you out with that. Thank you, Elder
6 Davis.

7 MR. DAVIS: God bless.

8 CHAIRMAN WARFIELD: Are there other comments?
9 Other comments? All right. At this portion, we will
10 close -- oh, yes. Yes, sir. Come on up.

11 MR. HALL: How are you?

12 CHAIRMAN WARFIELD: How are you, sir?

13 MR. HALL: I'm good. My name is William Hall.
14 I'm from Jennison Realty. I just -- I have a program,
15 and it's in recent weeks for -- I'll start with that.
16 In recent weeks, I seen articles and information on
17 incentives and programs about officers and employees of
18 the City moving back to Detroit. And I heard about a
19 rehab program they were having in the Boston-Edison
20 District. And it was a program that I'm working with
21 for Jennison Realty and Community First Development for
22 new construction. And I just want to complement what
23 was already going on. And I really didn't know who to
24 talk to. And I came here basically to find a resource
25 or person I can get with to touch the most people in the

1 department with this information.

2 It's something that I am excited about, the
3 people I am working with are excited about. I have a
4 few bullet points of the program. It's --

5 CHAIRMAN WARFIELD: I can save you have some
6 time. Unfortunately, right now we have no jurisdiction
7 over that. But the office that you should call is the
8 mayor's office at 224-3400. And if you ask for the
9 person that's over Project 14, they will be able to much
10 more better assist you than we can today. But again,
11 that's 224-3400, and again the person who is over
12 Project 14.

13 MR. HALL: Project 14. Thank you.

14 CHAIRMAN WARFIELD: Not a problem. Thank you
15 for coming. Appreciate it, sir. Are there other
16 comments for the board? Any other comments for the
17 Board? Sister Rivers?

18 MS. RIVERS: Yes, sir.

19 CHAIRMAN WARFIELD: Could you stand up and
20 come to the mic for a second? We are going to put this
21 one on the record. This beautiful young lady tried
22 almost not to get us to come in here today. We came in
23 our office. And to our surprise, there was a beautiful
24 nice hot peach cobbler sitting on the table. And it's
25 gone. We want to say thank you. We appreciate it. It

1 was wonderful. It was delicious. It hit the spot, was
2 beautiful. It was the nicest looking peach cobbler I
3 have ever seen. Not only did it look good, but it
4 tasted marvelous. So I wanted to say thank you so very
5 much for your generosity and your kindness. We
6 appreciate it greatly. It made our day. I just wanted
7 to let you know that.

8 MS. RIVERS: You're welcome, sir.

9 CHAIRMAN WARFIELD: Thank you so very much.
10 Only those she love. Amen. At this time, if there are
11 no more comments, I will entertain a motion to adjourn
12 the meeting.

13 COMMISSIONER REEVES: So moved.

14 COMMISSIONER RIVERA: Second.

15 CHAIRMAN WARFIELD: It's been properly moved
16 and supported. All those in favor?

17 COMMISSIONERS: Aye.

18 CHAIRMAN WARFIELD: All right. Thank you,
19 ladies and gentlemen. Meeting is adjourned. We will
20 see you next week.

21 (Proceedings concluded at 4:00
22 p.m.)

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CERTIFICATE OF REPORTER

STATE OF MICHIGAN)
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Wendy A. Boer,
CSR 3505

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